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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/624,412 | 07/21/2003 | Donte Kim | 58255-00005 | 7256 |

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| EXAMINER |
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VIDWAN, JASJIT S

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| ART UNIT | PAPER NUMBER |
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2182

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 12/29/2006 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/624,412 | KIM ET AL. | |
| | Examiner | Art Unit | |
| | Jasjit S. Vidwan | 2182 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-5 and 18-20 are cancelled as per Applicant's correspondence on 3/20/2006

Claims 6-17 are pending

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 6, 7, 9, 10, 11, 12, 13, 14, 15, 16 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Fung et al, Pub No: 2005/0131815 **[herein after Fung]**.

3. **As per claim 6**, Fung teaches a method for interfacing merchant's credit card processing system with a plurality of payment processors **[see Fig. 9, element 814 & 816 – also see Fig. 19, element 1906. For each different type of network of card, Visa, MasterCard etc, a different 'central controller' processes the payment prior to sending request to the issuing bank for authorization]** that interface merchant's credit card processing systems **[see Fig. 8, element 812]** with credit card issuing banks **[Paragraph 0061, "Citibank to American Airlines"]** transaction system, the method comprising:

(a) Storing data input field requirements for a plurality of payment processors **[Page 5, Paragraphs 0061 and 0062, There are different types of Cards such as Visa, MasterCard etc that require different input fields]**, where each of the plurality of payment

processors has different data input field requirements [**Page 3, Paragraphs 0043 and 0044**].

(b) Determining a desired payment processor to be used from the plurality of payment processors for a credit card transaction [**Page 6, Paragraph 0068, 'Desired' Payment processor will be selected based on the appropriate user's Card (Visa/MasterCard/American Express) and the issuing bank**].

(c) Retrieving the data input field requirements needed to process the credit card transaction through the desired payment processor [**Page 6, Paragraph 0070**].

(d) Requesting the data input field requirements from a client to process the credit card transaction through the desired payment processor [**Page 6, Paragraph 0067**].

(e) Processing the data through the desired payment processor to process the credit card transaction [**Page 6, Paragraph 0069**].

4. **As per Claim 7**, Fung teaches a method where the data input field requirements includes both required data [**Paragraph 0005, 'credit/debit card information'**] and optional data [**Paragraph 0005, 'optional demographic'**].

5. **As per Claim 9**, Fung teaches a method further including storing the credit card transaction into a memory [**Page 11, Paragraph 0114**].

6. **As per Claim 10**, Fung Teaches a method wherein further including transmitting the information associated with the credit card transaction to an accounting software [**Fig. 1, element 122**].

7. **As per Claim 11**, Fung teaches a method wherein the merchant's credit card processing system is a web-based merchant [**Fig. 10, element 1014, 'Online Merchant'**].

8. **As per Claim 12**, Fung teaches a method where the merchant's credit card processing system is a Point-of-Sale merchant [**Summary of Invention, Paragraph 0012, "destination ecommerce web site"**].

9. **As per Claim 13**, Fung teaches a method wherein further including, providing a template with input fields to the Merchant's credit card processing system for the requesting of the data input field requirements [**Page 2, Paragraph 0041**].

10. **As per Claim 14**, Fung teaches a method of providing a template with input fields for the required data and the optional data [Page 1, Paragraph 0005] to the merchant's credit card processing system for requesting the data input field requirements [Page 2, Paragraph 0041].

11. **As per Claim 15**, Fung teaches a method for interfacing a merchant's payment processing system to a plurality of payment processors each having a plurality of input fields for completing a transaction where the plurality of payment processors that interface merchant's credit card processing systems with credit card issuing banks' transaction systems, the method comprising:

(a) Determining the payment processor corresponding to the transaction from the plurality of payment processors [Page 6, Paragraph 0068].

(b) Determining whether each of the input fields for the payment processor is a required input field [Paragraph 0005, 'credit/debit card information'] or an optional input field to process the transaction [Paragraph 0005, 'optional demographic'].

(c) Requesting the required and optional input fields, if any, from a client through the merchant's payment processing system to process the transaction [Page 6, Paragraph 0067].

12. **As Per Claim 16**, Fung teaches a method of processing a payment transaction between a merchant's payment processing system and a plurality of payment processors each having a plurality of input fields to process a transaction, where the plurality of payment processors that interface merchant's credit card processing systems with credit card issuing banks' transaction systems, the method comprising:

(a) Updating the plurality of input fields for each of the plurality of payment processors to process the transaction [Page 3, Paragraph 0045].

(b) Determining whether each of the input fields for the payment processor is a required input field [Paragraph 0005, 'credit/debit card information'] or an optional input field to process the transaction [Paragraph 0005, 'optional demographic'].

Art Unit: 2182

13. **As per Claim 17**, Fung teaches a system for interfacing a merchant's payment processing system to a plurality of payment processors each having a plurality of input fields for completing a transaction, the method comprising:

(a) Memory storing the plurality of input fields for a predetermined number of payment processors, where the plurality of input fields include required and optional input fields **[Page 3, Paragraphs 0043 and 0044]**.

(b) Server capable of requesting from a merchant's payment processing system a payment processor to use to process a payment transaction and retrieving from the memory the required and option input fields corresponding to the payment processor **[Page 6, Paragraph 0067]**.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fung and further in view of Gangi, US Patent No: 6,938,821 [hereinafter Gangi].

16. **As per Claim 8**, Fung teaches the limitations of Claim 7, however fails to teach a method of reducing the credit card transaction fee if the merchant provides the optional data. However, Gangi discloses a method to where incentives are provided for providing personal optional information [Claim 14].

One of ordinary skill in the art at the time of Applicant's invention would have clearly recognized that it is quite advantageous to have incentives or coupons for users that provide additional personal information, which would be helpful for advertising and marketing coupons for future purchases. It is for

Art Unit: 2182

this reason that one of ordinary skill in the art at the time of Applicant's invention would have been motivated to combine the teachings of Fung with that of Gangi in order to take advantage of having incentives or coupons for users that provide additional personal information, which would be helpful for advertising and marketing coupons for future purchases.

Response to Arguments

17. Applicant's arguments with respect to claim 6-17 have been considered but are moot in view of the new ground(s) of rejection. The newly added limitation of defining the "payment processor" required the Examiner to modify the interpretation of prior art of record. Under the current rejection, Fung et al reads on the added limitations of independent claims

Conclusion

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

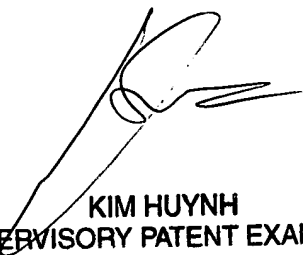
Art Unit: 2182

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasjit S. Vidwan whose telephone number is (571) 272-7936. The examiner can normally be reached on 8am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM HUYNH can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JSV
12/21/06


KIM HUYNH
SUPERVISORY PATENT EXAMINER
12/22/06